IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 47 OF 2006
IN
WRIT PETITION NO. 140 OF 2006

Mandvi Galli Jamat.] .. Appellants (Ori.Petitioner)

Versus

1. Vesave Macchimar Vividh Karyakari Sah. Society Ltd. & Ors.] .. Respondents (Ori.Respdts.)

Mr. A.G. Damle i/b Mr. S.S. Gawde for the appellants.

Mr. Y.D. Mulani for the respondent No.1.

Mr. P.G. Sawant, AGP, for the respondents No.2 and 4.

CORAM: R.M. LODHA &
ANOOP V. MOHTA, JJ.

DATED: 03RD FEBRUARY, 2006

P.C. :

. Heard.

2. The learned Single Judge cannot be said to have erred in holding that appellants have no locus to maintain the Writ Petition. The appellants claim to be an association of persons seeking membership to the first respondent society. The fact of the matter is that the individual 200 applicants made the application

before the Deputy Registrar, Cooperative Societies (Fisheries) for setting aside the order of Vesave Macchimar Vividh Karyakari Sahakari Society Limited (respondent No.1) declining their application for being enrolled as members. The applications made by those 200 applicants were rejected by the Deputy Registrar on the ground that all of them were members of Sarvodaya Macchimar Cooperative Society Limited, Vesave and that Society is providing the same services similar and equivalent to those provided by the respondent No.1 Society. In the circumstances, the petitioner Society which is association of persons unregistered under any law cannot maintain the Writ Petition.

3. Appeal does not deserve to be admitted and is dismissed in limine.

Sd/-
[R.M. LODHA, J.]

Sd/-
[ANOOP V. MOHTA, J.]

[srpasha@hc]